



Havant
BOROUGH COUNCIL

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Mr J Bailey
14 Covert Grove
Waterlooville
PO7 8EY

**The Town and Country Planning (Development Management Procedure) (England) Order
2015**
Grant of Planning Permission

Application Number: APP/15/01025

Site Address: Unit 1 Industrial Estate, Palmers Road, Emsworth, PO10 7DH

Proposal: Variation of Condition No. 1 of Planning Permission APP/14/00669 to enable continued change of use of premises from Class B1 to Class B2 use for motorcycle repairs.

Further to your application received on 17 September 2015, Havant Borough Council, as Local Planning Authority, **Grants Planning Permission** for the above proposal in accordance with the submitted plans and particulars as detailed below.

This permission is subject to compliance with:

- (i) The plans and other documents submitted with regard to your application; and
- (ii) The following conditions:

Conditions:

- 1 The development must be begun not later than three years beginning with the date of this permission.
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 This permission shall enure for the benefit of JCB Motorcycle Services only and shall not enure for the benefit of the land and the use hereby permitted shall be discontinued on the date when JCB Motorcycle Services cease to occupy the land.
Reason: To maintain control of a wider Class B2 use of the site in the interests of neighbouring residential amenity and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 3 Machinery shall only be worked between 0830 and 1800 hours Monday to Friday and 0800 to 1300 hours Saturdays; and not at all on Sundays or Bank Holidays.
Reason: To protect the amenities of nearby residential properties and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

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- 4 The forecourt area shall be used for the parking of motorbikes and customer vehicles only. At no time shall motorbikes or other vehicles be examined or worked on within the forecourt area and the maximum number of motorcycles stored on the forecourt shall not exceed 10 at any time.
Reason: To avoid noise and activity on the forecourt in the interests of neighbouring residential amenity having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 5 Only the rear yard area shall be used for any outside testing and examining of motorbikes.
Reason: To ensure all outside activity takes place away from residential dwellings in Palmers Road, in the interests of neighbouring residential amenity and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 6 The recommended noise mitigation measures as proposed within the submitted Acoustic Testing Report, (section 9), and as detailed on the proposed layout plan received on the 10 November 2015, shall be implemented in full within 2 months of the date of this permission. Thereafter the business shall be operated in full accordance at all times with the mitigation measures proposed within these documents.
Reason: To provide a noise buffer in the interests of neighbouring residential amenity and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 7 The development hereby permitted shall be carried out in accordance with the following approved plans:
- Site Location Plan OS Licence No 100047474 received 27 July 2014
Block Plan OS Licence No 100035409 received 27 July 2014
Proposed elevations and revised layout plan detailing insulation of acoustic room received 10 November 2015
Covering letter submitted with the application received 25 September 2015
BS4142 Acoustic Testing Report prepared by Airtight & Noisecheck Acoustic Testing dated 23 October 2015 and received 4 November 2015
- Reason:** - To ensure provision of a satisfactory development.
- Other Important Information:**
- (1) This notice only relates to the decision of Havant Borough Council as Local Planning Authority under the Town and Country Planning Acts. It does not relate to any other application that may be required under the Building Regulations or under any other Act, Regulation, Byelaw or Order where the Council's approval may be needed. For further guidance as to the need for consent under the Building Regulations please phone 023 9244 6571.
- (2) Your attention is drawn to the attached information regarding firstly your right to appeal to the Planning Inspectorate, if you are aggrieved by the Council's decision, and secondly the rights of an owner to, in certain circumstances serve a purchase notice on the Council. See www.planningportal.gov.uk/pes.
- (3) Any failure to adhere to the details of the approved plans, and other documents or to comply with any conditions listed above may lead to enforcement action being taken by the Council. If you wish to depart from the approved details or conditions in any way you should contact the Development Control Service at the Plaza or by telephoning 023 9244 6015.

(4) In accordance with paragraphs 186 and 187 of the NPPF Havant Borough Council (HBC) takes a positive and proactive approach and works with applicants/agents on development proposals in a manner focused on solutions by:

- Offering a pre-application advice service, and
- Updating you of any issues that may arise in the processing of your application and where possible suggesting solutions, and,

In this instance:

- You were updated about issues after the initial site visit.

Andrew Biltcliffe

Andrew Biltcliffe
Executive Planning Service Manager

27 November 2015